

Santa Rosa County Sheriff's Office



Santa Rosa Sheriff's Office Sheriff Bob Johnson

CITIZEN COMPLAINT REPORT

Nature of Complaint: _____ Date of Incident: 8-6-18

Location of Incident: JAY

Member(s) Involved: SGT Jeremy Swan

Complainant: _____ Date of Birth: _____

Address: Road Jay flonda 3as6s Telephone #: _____

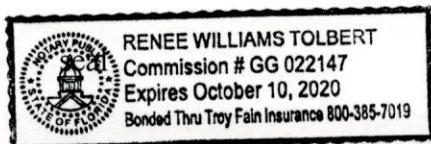
Summary: I felt that the officer was siding with Mike and did not handle the situation in a professional way. I know how I felt during this process. I could not imagine how other people could have felt. When an event occurs it can be scary working with other professionals. After I told him what happened he spoke with Mike and then went to speak to me again. He said it was my word against his and if Mike wanted to really hurt me he could because he is a big guy. He then said that he doesn't observe any injuries on me. He then said that he has seen people with bruises from strangulation. I felt like he was minimizing the situation and I had to defend myself and explain it really did happen. I felt he didn't believe me. I then told him he could talk to my daughter because she told me she heard me scream & she could tell him her experience and how she felt. He then basically said there would be no need for him to talk to her because how she felt doesn't matter and her hearing me scream wouldn't do anything. He also made the comment that you don't want kids to be involved so DCF doesn't get involved. When he was speaking to the other officer he was reading over my

I hereby swear and affirm that the above and all attached statements and/or documentation are true and correct to the best of my knowledge. I have fully read and understand the attached Florida State Statute § 112.533 regarding the Receipt and Processing of Complaints. Specifically, I acknowledge that until this investigation is completed, I am not to discuss my complaint with anyone other than the Deputy assigned to investigate my complaint or my legal representative.

Complainant's Signature: _____
Printed name: _____

Sworn to and subscribed before me this
7th day of August 2018.

Renée Williams Tolbert
Notary Signature



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ADMINISTRATIVE INVESTIGATIONS DIVISION CITIZEN COMPLAINT REPORT (Cont.)

Statement and said what I said about the choking was vague. I felt like I had to defend myself again because he didn't believe me. earlier he said me and ~~her~~ miche's stories matched besides he said we agreed to sex, he didn't admit to slapping me twice, he didn't shot me in the closet, and he didn't choke me. He also said if you call this in as rape NCF will never let him in this house again. He then said do you want to call this rape or what it is, him pressuring you and you giving in. I told him I want to tell him what happened and I want him to categorize what it should be called. I told him I don't care about the legal process and I just want me & my kids safe. when I was telling him the story again because he asked me, he said you went back in the room knowing you would have sex, I felt like I had to defend myself again. I had to explain I was scared that he would become physically aggressive if I didn't. He also asked how my raped shirt got in three different places. I couldn't remember exactly. It's hard to remember specific details in a traumatic event. Everyone handles it as a professional myself, I work with victims of domestic violence and it is our job in a professional role to protect and serve the victim, not revictimize them.

When I asked who would be assigned this investigation with major crimes he said I was asking too much and he would tell me what I need to know.

112.533 Receipt and processing of complaints---

(1) Every law enforcement agency and correctional agency shall establish and put into operation a system for the receipt, investigation, and determination of complaints received by such

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agency from any person.

(2) (a) A complaint filed against a law enforcement deputy or detention deputy with a law enforcement agency or correctional agency and all information obtained pursuant to the investigation by the agency of such complaint shall be confidential and exempt from the provisions of s. 119.07(1) until the investigation ceases to be active, or until the agency head or the agency head's designee provides written notice to the deputy who is the subject of the complaint, either personally or by mail, that the agency has either:

1. Concluded the investigation with a finding not to proceed with disciplinary action or to file charges; or
2. Concluded the investigation with a finding to proceed with disciplinary action or to file charges.

Notwithstanding the foregoing provisions, the deputy who is the subject of the complaint may review the complaint and all statements regardless of form made by the complainant and witnesses immediately prior to the beginning of the investigative interview. If a witness to a complaint is incarcerated in a correctional facility and may be under the supervision of, or have contact with, the deputy under investigation, only the names and written statements of the complainant and no incarcerated witnesses may be reviewed by the deputy under investigation immediately prior to the beginning of the investigative interview.

(b) This subsection does not apply to any public record which is exempt from public disclosure pursuant to Fla. Stat. 119.07(3). For the purposes of this subsection, an investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding is made within 45 days after the complaint is filed.

(c) Notwithstanding other provisions of this section, the complaint and information shall be available to law enforcement agencies, correctional agencies, and state attorneys in the conduct of a lawful criminal investigation.

(3) A law enforcement deputy or detention deputy has the right to review his or her official personnel file at any reasonable time under the supervision of the designated records custodian. A law enforcement deputy or detention deputy may attach to the file a concise statement in response to any items included in the file identified by the deputy as derogatory, and copies of such items must be made available to the deputy.

(4) Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including, but not limited to, the identity of the deputy under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of an agency, before such complaint, document, action, or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in F.S.S. 775.082 or F.S.S. 775.083. However, this subsection does not limit a law enforcement or detention deputy's ability to gain access to information under paragraph (2)(a). Additionally, a sheriff, police chief, or other head of a law enforcement agency, or his or her designee, is not precluded by this section from acknowledging the existence of a complaint and the fact that an investigation is underway.

History.—F.S.S. 3, ch. 74-274; F.S.S. 3, ch. 82-156; F.S.S. 1, ch. 82-405; F.S.S. 1, ch. 83-136; F.S.S. 1, ch. 87-59; F.S.S. 2, ch. 89-223; F.S.S. 1, ch. 90-32; F.S.S. 31, ch. 90-360; F.S.S. 3, ch. 93-19; F.S.S. 722, ch. 95-147; F.S.S. 39, ch. 96-406; F.S.S. 2, ch. 98-249; F.S.S. 2, ch. 2000-184.